

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

IN THE MATTER OF:)	
)	
TOM PANAGOPOULOS,)	
)	
Complainant,)	
)	
)	Charge No.: 2007CN2686
and)	EEOC No.: N/A
)	ALS No.: 07-896
)	
COMMUNITY ASSOCIATION INSTITUTE.,))	
)	Judge William J. Borah
Respondent.)	

On November 30, 2007, the Illinois Department of Human Rights filed a complaint on behalf of Complainant, Tom Panagopoulos. The complaint alleges Respondent sexually harassed Complainant and retaliated against him.

FINDINGS OF FACT

1. The complaint in this matter was mailed to Complainant, Tom Panagopoulos by certified mail.
2. On January 1, 2008, Respondent filed its verified answer.
3. Both parties participated in the case's discovery process that culminated with Respondent filing its Motion for Summary Decision on November 21, 2008. Complainant filed his response and Respondent its reply.
4. On April 21, 2010, an order was entered denying Respondent's motion for summary

decision as to the sexual harassment count of Complainant's complaint and granting it as to the retaliation count. The order also set a Pre-Hearing Memorandum drafting schedule and a status hearing date for July 7, 2010 at 3:00 p.m.

5. On March 30, 2010, Complainant's attorney's law firm filed its motion to withdraw, in part, because, "Mr. Panagopoulos will not communicate with the attorneys."

6. On April 21, 2010, an order was entered granting Complainant's attorneys' motion to withdraw.

7. On April 21, 2010, copies of the withdraw order and the summary decision order were mailed to Complainant on April 21, 2010.

8. On June 25, 2010, Respondent filed its proposed Pre-Hearing Memorandum. Complainant failed to draft his own memorandum or participate in drafting a joint Pre-Hearing Memorandum as per the April 21, 2010, order.

9. On July 7, 2010, a status hearing was held. Respondent appeared and Complainant failed to appear. A status hearing was scheduled for August 4, 2010. Complainant was mailed a copy of the order on July 8, 2010.

10. On August 4, 2010, neither the Complainant nor Respondent appeared.

CONCLUSIONS OF LAW

1. Complainant's failure to participate at two scheduled hearings set for July 7, 2010 and August 4, 2010, and his failure to respond to orders entered have unreasonably delayed the proceedings in this matter.

2. In light of Complainant's apparent abandonment of his claim, the complaint in this matter should be dismissed with prejudice.

DISCUSSION

Complainant was given notice of the status hearing date of July 7, 2010, and he failed to appear. On August 4, 2010, Complainant again failed to appear at the scheduled status hearing. Respondent filed its own Pre-Hearing Memorandum and Complainant failed to comply

with the ordered briefing scheduled. Complainant's inaction has unreasonably delayed the proceedings in this matter.

For reasons unknown, it appears that Complainant has simply abandoned his claim. As a result, it is appropriate to dismiss his claim with prejudice. See e.g., Leonard and Solid Matter, Inc., IHRC, ALS No. 4942, August 25, 1992.

RECOMMENDATION

Based upon the foregoing, it appears that Complainant has abandoned his claim. Accordingly, it is recommended that the Complaint in this matter and the underlying charge of discrimination be dismissed in their entirety, with prejudice.

HUMAN RIGHTS COMMISSION

BY: _____
WILLIAM J. BORAH
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: August 6, 2010